DOCUMENT RESUME

ED 265 155 SP 027 154

TITLE Administrative Rules Governing the Certification of Michigan Teachers. [Revised.]
INSTITUTION Michigan State Board of Education, Lansing.
PUB DATE 81
NOTE 21p.
PUB TYPE Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Accreditation (Institutions); *Educational Legislation; Higher Education; Schools of Education; *State Standards; *Teacher Certification; Teacher Education; Vocational Education
IDENTIFIERS *Michigan

ABSTRACT

This booklet sets forth the administrative rules governing the certification of Michigan teachers. Subject areas include: (1) general provisions; (2) state provisional certificates; (3) state continuing certificates; (4) state special permits; (5) educational institutions; (6) vocational endorsement and authorization; (7) certification of teachers until 1970; and (8) certification of certain teachers until 1976. Procedures for administrative hearings on suspension or revocation of certification are outlined. Excerpts of legal provisions governing certification of teachers are appended. (JD)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

C. Li

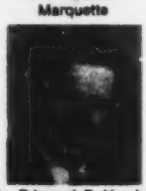
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Michigan
State Board of Education

Dr. Gumecindo Salas
President
East Lansing

John Watanen, Jr.
Vice President
Marquette

Annetta Miller
Secretary
Huntington Woods



Dr. Edmund F. Vandette
Treasurer
Houghton

Carroll M. Hutton
NASBE Delegate
Highland

Barbara Dumouchelle
Grosse Ile

Barbara Roberts Mason
Lansing

Norman Otto Stockmeyer, Sr.
Westland

Ex-Officio Members

James J. Blanchard
Governor

Phillip E. Runkel
Superintendent of
Public Instruction

BEST COPY AVAILABLE

FOREWORD

The State Board of Education adopted a new Certification Code in 1967 replacing one that had been unchanged for many years. The 1973 revisions in the Code reflected an effort to meet Michigan's needs following a study which began shortly after adoption of the 1967 Code. That study focused on the need to adapt this series of administrative rules to new needs, to reduce technical problems encountered in the 1967 version, and to produce a single set of consistent administrative rules governing the certification of all teachers, including vocational teachers. In addition, the certification code has been revised to reflect changes and additions since 1973.

Appreciation is extended to the many persons who gave of their time and energy for the deliberations preceding completion of these revisions.

Phillip E. Runkel

Superintendent of Public Instruction

1973

Revised 1981

TABLE OF CONTENTS

ADMINISTRATIVE RULES GOVERNING
THE CERTIFICATION OF MICHIGAN TEACHERS

PART 1. GENERAL PROVISIONS — Page

R 390.1101. Definitions ... 1
R 390.1103. Successful teaching ... 2
R 390.1105. Persons required to hold certificates or permits ... 2
R 390.1111. Equality of opportunity ... 2
R 390.1115. Application and credits ... 3
R 390.1117. Certificate restrictions and expiration ... 3

PART 2. STATE PROVISIONAL CERTIFICATES

R 390.1121. General provisions ... 3
R 390.1122. General education and substantive fields ... 3
R 390.1123. Professional education ... 3
R 390.1124. Scholastic Averages and directed teaching ... 3
R 390.1125. Degrees and recommendations ... 4
R 390.1126. State elementary provisional certificates ... 4
R 390.1127. State secondary provisional certificates ... 4
R 390.1128. Additional majors and minors ... 4
R 390.1129. Certificate endorsements ... 4
R 390.1129a. Procedures at expiration of provisional certificates ... 5
R 390.1130. Reciprocity ... 5

PART 3. STATE CONTINUING CERTIFICATES

R 390.1131. Rescinded 1973 (See R 390.1129a) ... 5
R 390.1132. State elementary and secondary continuing certificates ... 5
R 390.1133. State elementary and secondary 30-hour continuing certificates ... 5
R 390.1134. Validity ... 6

PART 4. STATE SPECIAL PERMITS

R 390.1141. General provisions ... 6
R 390.1142. Full-year special permits ... 6
R 390.1143. Substitute permits ... 7
R 390.1144. Substitute permits; renewal ... 7
R 390.1145. Permits in emergency situations ... 7

PART 5. EDUCATIONAL INSTITUTIONS

R 390.1151. Approved teacher education institutions ... 7
R 390.1152. Same; equivalence option ... 8
R 390.1153. Same; experimental programs ... 8
R 390.1154. Out of state institutions ... 8
R 390.1155. Non-teacher education institutions ... 8
R 390.1156. Correspondence credits ... 8
R 390.1157. Bilingual Endorsements ... 8

PART 6. VOCATIONAL ENDORSEMENT AND AUTHORIZATION

R 390.1161. State secondary provisional certification with vocational endorsement ... 9
R 390.1162. State secondary continuing certification with vocational endorsement ... 9
R 390.1163. Temporary vocational authorization ... 10
R 390.1164. Full vocational authorization ... 10
R 390.1165. Annual vocational authorization ... 10
R 390.1166. Credit from institutions not designated for preparation of vocational teachers ... 10
R 390.1167. Instructional programs leading to state or federal license ... 10

PART 7. CERTIFICATION OF TEACHERS UNTIL 1970

R 390.1171-R 390.1179. Expired 1970 10

PART 8. CERTIFICATION OF CERTAIN TEACHERS UNTIL 1976

R 390.1181-R 390.1188. Expired 1976 10

PART 10. ADMINISTRATIVE HEARINGS

R 390.1201. Certificates; denial, suspension, or revocation; reinstatement 10
R 390.1202. Contested case; grounds 11
R 390.1203. Investigation 11
R 390.1204. Written charges; service; notice of opportunity to show compliance 11
R 390.1205. Notification of rights; copies or rules and laws 11
R 390.1206. Notice of hearing; written charges; settlement; absence of party; hearing as public or private 11
R 390.1207. Answer to formal charges; bill of particulars 11
R 390.1208. Representation; appearance by legal counsel; service on attorneys of record 12
R 390.1209. Hearing officer; duties 12
R 390.1210. Hearing officer; qualification; prohibited communications 12
R 390.1211. Witnesses; fees and expenses; exclusion from hearing; communications 12
R 390.1212. Transcript; evidence; exhibits 12
R 390.1213. Exceptions, cross exceptions, and briefs 12
R 390.1214. Oral arguments 12
R 390.1215. Advice of attorney general or designated assistant 13
R 390.1216. Proposal for decision; action by state board 13

APPENDIX A — EXCERPTS OF LEGAL PROVISIONS GOVERNING CERTIFICATION OF TEACHERS 14

ADMINISTRATIVE RULES GOVERNING THE CERTIFICATION OF MICHIGAN TEACHERS

Effective January 18, 1973

(By authority conferred on the state board of education by section 10 of Act No. 287 of the Public Acts of 1964, as amended, and sections 9 and 302 of Act No. 380 of the Public Acts of 1965, being sections 388.1010, 16.109 and 16.402 of the Compiled Laws of 1948.)

Rules 1, 5, 15, 23, 24, 26, 27, 29, 30, 32, 33, 34, 41, 51, 52 and 54 of the rules entitled "Teacher Certification Code", being R 390.1101, R 390.1105, R 390.1115, R 390.1123, R 390.1124, R 390.1126, R 390.1127, R 390.1129, R 390.1130, R 390.1132, R 390.1133, R 390.1134, R 390.1141, R 390.1151, R 390.1152 and R 390.1154 of the Michigan Administrative Code, rules 1, 5, 15, 23, 24, 26, 27, 29, 30, 32, 33, 34, 51, 52 and 54 appearing on pages 4234 to 4240 of the 1967 Annual Supplement to the Code, and rule 41 appearing on page 4741 of the 1968 Annual Supplement to the Code are amended, and rules 29a, 45 and 61 to 67, being R 390.1129a, R 390.1145, R 390.1161 to R 390.1167, are added to read as hereinafter provided.

The rules of the state board of education entitled "Plan for the Certification of Teachers and Coordinators of Trade and Industrial Education", "Plan for the Certification of Teachers and Coordinators of Business Education", "Plan for the Certification of Teachers of Vocational Agriculture", and "Plan for the Certification of Teachers of Vocational Homemaking", being R 390.571 to R 390.603 of the 1954 Michigan Administrative Code, and appearing on pages 4014 to 4019 of the 1954 Administrative Code; rules 2 to 5, 103, 123, 124 and 133 of the rules entitled "Reimbursed Programs of Vocational-Technical Education", being R 395.232 to R 395.235, R 395.333, R 395.353, R 395.354 and R 395.363 of the Michigan Administrative Code and appearing on pages 4247, 4268 and 4270 to 4272 of the 1967 Annual Supplement to the Code; and rule 31 of the "Teacher Certification Code", being R 390.1131 of the Michigan Administrative Code and appearing on page 4237 of the 1967 Annual Supplement to the Code are rescinded.

R 390.571 to R 390.603. Rescinded
R 395.232 to R 395.235. Rescinded
R 395.333. Rescinded
R 395.353. Rescinded
R 395.354. Rescinded
R 395.363. Rescinded
R 390.1131. Rescinded

The following rules have been amended or added to the certification code since 1973.

R 390.1103 — added 1975
R 390.1125 — amended 1977
R 390.1126 — amended 1981
R 390.1127 — amended 1981
R 390.1132 — amended 1981
R 390.1133 — amended 1981
R 390.1134 — amended 1975
R 390.1151 — amended 1977
R 390.1157 — added 1981
R 390.1201 to R 390.1216 added 1977

PART 1. GENERAL PROVISIONS

R 390.1101. Definitions.

Rule 1. As used in this code:

(a) "Bilingual endorsement" means either an authorization for a person holding an elementary certificate to teach in a bilingual instruction program in grades K-8 in all subjects and in his or her major and minor endorsement areas in grade 9 or an authorization for a person holding a secondary certificate to teach in a bilingual instruction program in grades 7-12 in his or her major and minor endorsement areas.

(b) "Certificate endorsement" means the extension of the grade level validity of an existing elementary or secondary certificate or the completion of a planned program in an area of specification. The intent of the endorsement program is to permit a person with a secondary certificate to obtain an endorsement at a level other than secondary and to permit a person with an elementary certificate to obtain an endorsement in another area or level other than elementary.

(c) "Early childhood certificate endorsement" means an authorization to teach in any school program preceding or including kindergarten.

(d) "Elementary school" means a school that includes grades kindergarten to 9.

(e) "General elementary certificate endorsement" means an authorization to teach in grades kindergarten to 6.

(f) "Middle school certificate endorsement" means an authorization to teach in grades 5-9.

(g) "Satisfactory college credit" means an average grade of "C" or its equivalent.

(h) "Secondary certificate endorsement" means an authorization to teach in grades 10-12.

(i) "Secondary school" means a school that includes grades 7-12.

(j) "Sponsoring institution" means a higher education institution approved for teacher education by the state board and which is willing to make recommendations as to applicants for the several certificates provided for in this code.

(k) "State board" means the state board of education.

(l) "Substantive field" means courses in areas other than professional preparation courses in education or courses of content or methods related to the preparation of teachers.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1103. Successful teaching.

Rule 3. (1) The determination of 3 years of successful teaching specified in these rules shall be according to the following:

(a) Employment may be with 1 or more employers in a regular or substitute teaching capacity.

(b) Each period of employment shall be characterized as successful or unsuccessful by the employer.

(c) A year of employment is a minimum of 150 teaching days and may be either an academic or a calendar year, but not more than 1 year of employment can be earned during a calendar year.

(d) A day of employment is ½ or more of a teaching day, but not more than 1 day of employment can be earned during a calendar day.

(2) A teacher may appeal any decision under these rules through the recommending institution's appeal procedure and, failing relief from that source, to the state board of education.

HISTORY: Add. 1975.

R 390.1105. Persons required to hold certificates or permits.

Rule 5. (1) A person employed in an elementary or secondary school with instructional responsibilities shall hold a certificate, permit or vocational authorization valid for the positions to which he is assigned.

(2) A teacher aide, classroom assistant, secretary to instructional personnel or other paraprofessional person legally employed in a non-instructional capacity need not be certified as a teacher.

(3) A student enrolled for student teaching or internship credit at an approved teacher education institution need not hold a teaching certificate but shall be certified by such teacher education institution to the state board as enrolled for student teaching. The certificate shall include the initial and final dates of the assignment and the name of the school to which the student is assigned. Upon filing such certificate with the state board, persons assigned school duties by a board of education shall be considered as lawfully exercising such duties.

(4) A full-time teacher of a day school program reimbursed from vocational education funds (agriculture, business, homemaking, trade and industrial), shall meet the minimum qualifications for endorsement or authorization in the particular vocational education field as specified by the state board.

(5) A teacher in a reimbursed program in special education, shall meet the minimum qualifications for certification when required by law in the particular special education field as specified by the state board.

(6) A previously issued certificate retains its original designation and validity. A permanent certificate continues as a permanent certificate.

HISTORY: Add. 1967; Am. 1973.

R 390.1111. Equality of opportunity.

Rule 11. (1) The state board holds that segregation of students at any level in educational programs seriously interferes with the achievement of equal opportunity guarantees of this state and that segregated schools fail to provide maximum opportunity for the full development of human resources in a democratic society. Therefore, it directs each Michigan institution of higher education approved for the preparation of teachers to provide an opportunity for prospective teachers to: (a) understand the effect of discrimination on minority groups as well as on the majority; and, (b) be educated in integrated teacher education programs so that in their professional careers they will be able to further achievement of the equal opportunity guarantees of this state.

(2) An applicant for provisional certification shall show an awareness that Michigan's constitution and laws guarantee the right to equal educational opportunity without discrimination because of race, religion, color, or national origin.

(3) Such an applicant holds an important responsibility for creating a climate for learning based upon the practice of, and an understanding of, equality of educational opportunity in its fullest sense.

(4) Such an applicant who is otherwise qualified shall not be denied the right to be certified by the state board, to receive training for the purpose of becoming a teacher or to engage in practice teaching in any school, on the grounds he is blind, deaf, or physically handicapped in some other manner. A school district shall not refuse to engage a teacher on such grounds, if such a handicapped teacher is able to carry out the duties of the position for which he applies in the school district.

HISTORY: Add. 1967.

R 390.1115. Applications and credits.

Rule 15. (1) The application for a certificate or permit shall be directed to the state board of education, Lansing, Michigan, presented on a form supplied or approved by the state board.

(2) Credits toward certification shall be completed through an approved teacher education institution, or accepted in transfer by such an institution, and shall be acceptable toward requirements for a provisional teaching certificate and a bachelor's or higher degree. The state board reserves the right to determine the acceptability of credits presented for certification from approved teacher education institutions located in other states.

HISTORY: Add. 1967; Am. 1973.

R 390.1117. Certificate restrictions and expiration.

Rule 17. (1) A certificate and a permit have certain restrictions as to the nature of teaching for which the holder may be employed. The applicant and the employer shall be thoroughly familiar with the specific provisions regarding the validity of the several certificates.

(2) All certificates and permits expire on June 30 of the expiration year indicated on the certificate or permit.

HISTORY: Add. 1967.

PART 2. STATE PROVISIONAL CERTIFICATES

R 390.1121. General provisions.

Rule 21. (1) A qualified person shall complete an application for provisional certification within 5 years after certification requirements have been met.

(2) The requirements in this part of the code for the several certificates are minimum requirements.

(3) The provision of this part are mandatory for all persons enrolled in teacher education institutions in this state after July 1, 1970.

HISTORY: Add. 1967.

R 390.1122. General education and substantive fields.

Rule 22. (1) An applicant for a provisional certificate shall demonstrate that he has an acquaintance with the substance, concepts, and methods of the principal areas of human knowledge, and skills essential to communication and inquiry in modern society. He shall present evidence that he has completed not less than 40 semester hours in a program of general or liberal education.

(2) An applicant shall present evidence of completion of a program providing for depth in any substantive field he proposes to teach. At the secondary level, such specialization is ordinarily initiated by completing a major in a specific field or in closely allied fields. At the elementary level, responsibility for introducing pupils to many areas of human knowledge or inquiry shall not deprive the prospective teacher of the opportunity to develop a degree of specialization in a particular substantive field. Therefore, the applicant shall present evidence that he has begun to master a substantive field and is able because of his teaching skills to stimulate students to seek more knowledge and understanding.

HISTORY: Add. 1967.

R 390.1123. Professional education.

Rule 23. (1) An applicant shall present evidence that he has completed 20 semester hours of theoretical and practical knowledge in the following fields:

(a) How human beings grow and how they learn.

(b) The structure, function and purposes of educational institutions in our society.

(c) The methods and materials of instruction appropriate to the elementary or secondary level.

(2) The applicant shall present evidence that he has participated under institutional supervision for a minimum of 6 semester hours (of the 20) in directed teaching at the level for which the certificate is granted.

HISTORY: Add. 1967; Am. 1973.

R 390.1124. Scholastic averages and directed teaching.

Rule 24. (1) An applicant for an elementary or secondary provisional certificate shall have satisfactory college credits prior to assignment to directed teaching. An applicant, to qualify for a certificate, shall obtain satisfactory college credit in directed teaching. An applicant shall have satisfactory college credit in the required hours for each successive certificate.

(2) For certification purposes, a minimum of 30 clock hours of responsible classroom teaching and observation under the supervision of a sponsoring institution is equivalent to 1 semester hour of credit in directed teaching.

(3) The directed teaching requirement for the initial elementary or secondary provisional certificate may be waived in full or in part for an experienced teacher as follows:

(a) For an applicant with an earned master's degree or higher degree and 3 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the sponsoring institution regarding the certificate, the complete requirement of 6 semester hours may be waived.

(b) For an applicant with less than an earned master's degree but with 5 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the sponsoring institution regarding the certificate, the complete requirement of 6 semester hours may be waived.

HISTORY: Add. 1967; Am. 1973.

R 390.1125. Degree and recommendations.

Rule 25. (1) An applicant for a provisional certificate shall have been granted a bachelor's degree and shall be recommended by a Michigan college or university approved for teacher education by the state board. Degree requirements for an out-of-state applicant are determined by the out-of-state institution as described in rule 30.

(2) The sponsoring institution shall make recommendation concerning all certificates.

HISTORY: Add. 1967; Am. 1977.

R 390.1126. State elementary provisional certificates.

Rule 26. (1) A state elementary provisional certificate may be issued to an applicant who presents evidence that he or she has completed 1 of the following requirements:

(a) A major of not less than 30 semester hours or a group major of 36 semester hours, and a planned program of 20 semester hours in other substantive fields deemed appropriate to elementary education. After July 1, 1983, evidence shall be present that he or she has completed 6 semester hours of the teaching of reading.

(b) Three minors of not less than 20 semester hours each, 2 of which shall be in substantive fields which may include a group minor of 24 semester hours, and 1 of which may be a planned program of 20 semester hours in a combination of methods and content appropriate to elementary education. After July 1, 1983, evidence shall be present that he or she has completed 6 semester hours of the teaching of reading.

(2) A state elementary provisional certificate is valid for teaching all subjects in grades kindergarten to 8, and in subject matter areas in grade 9 in which the applicant has completed a major or minor. The certificate is valid for 6 years.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1127. State secondary provisional certificates.

Rule 27. (1) A state secondary provisional certificate may be issued to an applicant who presents evidence that he or she has completed all of the following requirements:

(a) A major of not less than 30 semester hours or a group major of 36 semester hours.

(b) A minor of 20 semester hours or a group minor of 24 semester hours.

(c) After July 1, 1983, evidence shall be presented that he or she has completed 3 semester hours of the teaching of reading.

(2) A state secondary provisional certificate is valid for teaching all subjects in grades 7 and 8, and in subject matter areas in grades 9 to 12 in which the applicant has completed a major or minor. The certificate is valid for 6 years.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1128. Additional majors and minors.

Rule 28. A person already certificated who wishes to qualify for a new major or minor may combine credit already earned with additional credit to bring the total up to the minimum for a major or a minor as specified in this code. The additional major or minor is to be recommended by a sponsoring institution in the same manner as the original provisional or permanent certificate and is to be recorded on a form certifying supplementary majors or minors.

HISTORY: Add. 1967.

R 390.1129. Certificate endorsements.

Rule 29. (1) The holder of a provisional or continuing certificate (elementary or secondary) may qualify for a certificate endorsement by presenting evidence that he or she has completed 1 of the following planned programs with a minimum of 18 semester hours: early childhood, bilingual education, general elementary,

middle school, or areas appropriate to the secondary grades. When the planned program is completed following the issuance of the initial provisional state certificate, the person may apply the credit on the requirements for the continuing certificate.

(2) The holder of a provisional or continuing certificate (elementary or secondary) may qualify at a new certificate level (elementary or secondary) by presenting evidence that he or she has completed a minimum 12 semester hour planned program appropriate to the new certificate level. The applicant qualifying for the new certificate shall present evidence that he or she has a distribution of majors and minors appropriate to teaching at that new level. When directed teaching at the new level is required, the minimum of 2 years of successful teaching experience at the appropriate level, as determined by the state board, may be substituted for the requirement. Credit completed in qualifying at a new certificate level may be applied on the requirements for the continuing certificate.

(3) A Michigan institution approved for teacher education or an institution out of this state, as authorized by R 390.1132(1)(c), may recommend the additional certificate endorsement.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1129a. Procedures at expiration of provisional certificates.

Rule 29a. (1) To be qualified for teaching at expiration of an elementary or secondary provisional certificate, an applicant shall qualify within the provisional period for a continuing certificate. If the applicant does not so qualify, a 3-year renewal of the provisional certificate may be granted if the applicant presents evidence that he has completed 10 semester hours of credit since issuance of the provisional certificate or that he holds an earned master's or doctor's degree. A second 3-year renewal may be granted if the applicant presents evidence that he has earned 18 semester hours after issuance of the provisional certificate in a planned course of study applicable toward requirements for a continuing certificate or that he holds an earned master's or doctor's degree.

(2) The sponsoring institution shall make recommendation concerning the certificate.

HISTORY: Add. 1973.

R 390.1130. Reciprocity.

Rule 30. The state board may issue a provisional certificate to a person who has, or who is reported eligible for, a teaching certificate issued by the certificating authority of any other state in which requirements for certification are deemed equivalent to those in effect in this state. The state board may enter into written agreements with the states for the mutual acceptance of 1 or more types of teaching certificates issued by each state. The department of education shall publish and distribute annually a list of states with which reciprocity agreements are signed, or whose certificates are accepted in such manner.

HISTORY: Add. 1967; Am. 1973.

PART 3. STATE CONTINUING CERTIFICATES

R 390.1131. Rescinded 1973 (See R 390.1129a).

R 390.1132. State elementary and secondary continuing certificates.

Rule 32. A state elementary or secondary continuing certificate may be issued to an applicant who presents evidence that he or she has completed all of the following requirements:

(a) He or she has taught successfully for 3 years according to the validity of the provisional certificate and since the issuance of the provisional certificate, as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) He or she has earned 18 semester hours after the issuance of the state provisional certificate in a planned course of study. This advanced course of study is applicable to the applicant's professional development as determined by the state board upon recommendation of the sponsoring institution, and if appropriate, the local school district. After July 1, 1983, the 18 semester hours shall include the reading credit required in subdivision (d) of this rule. A person with an earned master's or higher degree is not required to complete the 18-semester-hour planned program. After July 1, 1983, applicants with an earned master's degree shall have completed the reading credit required in subdivision (d) of this rule.

(c) A continuing certificate may be recommended by a teacher education institution out of this state which is accredited by a national teacher accreditation agency approved by the state board, if credits comprising a planned course of study are applicable toward a master's degree or a higher degree at the institution.

(d) He or she has completed a minimum of 6 semester hours of teaching reading for an elementary continuing certificate or a minimum of 3 semester hours of teaching reading for a secondary continuing certificate. This reading credit may have been completed at any time prior to application for continuing certification. The qualifications set forth in this subdivision are required for all persons applying for a continuing certificate after July 1, 1983.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1133. State elementary and secondary 30-hour continuing certificates.

Rule 33. (1) A state elementary or secondary 30-hour continuing certificate is not required but is available to the teacher who qualifies and requests it.

(2) This certificate may be issued to an applicant who presents evidence that he or she has completed the following requirements:

(a) He or she has taught successfully for 3 years, under the terms of his or her provisional, continuing or permanent certificate as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) Thirty semester hours in a planned course of study beyond the bachelor's degree or that he or she holds a master's degree. This advanced course of study is applicable to the applicant's professional development and shall consist of a planned program contributing specifically to his or her professional improvement as determined by the state board upon recommendation of the sponsoring institution. After July 1, 1983, applicants for the 30-hour continuing certificate shall have completed the reading credit required in subdivision (d) of this subrule.

(c) When recommendation for this certificate is made by an institution which is located out of this state and accredited by a national teacher accreditation agency approved by the state board, the credit comprising a planned course of study shall be applicable on a master's or higher degree at the institution.

(d) He or she has completed a minimum of 6 semester hours of teaching reading for an elementary 30-hour continuing certificate or a minimum of 3 semester hours of teaching reading for a secondary 30-hour continuing certificate. This reading credit may have been completed at any time prior to application for continuing certification. The qualifications set forth in this subdivision are required for all persons applying for a 30-hour continuing certificate after July 1, 1983.

HISTORY: Add. 1967; Am. 1973; Am. 1981.

R 390.1134. Validity.

Rule 34. (1) A permanent or continuing certificate or full vocational authorization retains its validity providing the holder is employed in an educational capacity for a minimum of 100 days in any given 5 year period.

(2) A permanent or continuing certificate or full vocational authorization is suspended automatically if the holder is not employed in an educational capacity for the minimum of 100 days in the 5 year period.

(3) A suspended permanent or continuing certificate or full vocational authorization may be reinstated for an applicant who presents evidence that he meets either of the following requirements:

(a) Holds a masters or higher degree from an approved teacher education institution.

(b) Has completed, subsequent to the suspension, 6 semester hours of satisfactory college credit from an approved teacher education institution.

(4) A suspended permanent or continuing certificate or full authorization may be reinstated provisionally for 1 year by the state board upon request of a public or private school employer that is willing to employ and sponsor the holder full time for 1 year. The provisional reinstatement shall be authorized to the sponsoring school employer in the name of the holder under the following conditions:

(a) During the reinstatement period the school employer shall provide appropriate classroom supervision to the teacher candidate for reinstatement of the certificate or authorization. The employer shall submit a written evaluation to the state board at the end of the 1 year reinstatement period.

(b) When the employer reports completion of 1 year of successful experience during the reinstatement period the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(c) When the employer reports that the reinstatement year of experience was unsuccessful, the holder of the suspended certificate or authorization may enroll in a teacher education institution of his choice and complete a minimum of 6 semester hours of credit selected to improve the teaching skills identified by the sponsoring employer as deficient during the 1 year reinstatement period. Upon successful completion of that additional credit, the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(5) A permanent, continuing or full authorization certificate is valid for teaching in this state in the grades, subjects or levels specified on the certificate.

HISTORY: Add. 1967; Am. 1973; Am. 1975.

PART 4. STATE SPECIAL PERMITS

R 390.1141. General provisions.

Rule 41. (1) On application, the state board will issue a special permit for a person who has the statutory qualifications and has completed, or had accepted by transfer, the prescribed amount of satisfactory college credit on an approved teacher education program. The permit will be a full-year permit or substitute permit.

(2) A permit or renewal is issued to the recommending superintendent or personnel officer who shall apply therefor and affirm under oath that a certificated teacher is not available for employment. The recommending superintendent or personnel officer receiving the permit or renewal shall hold the permit or renewal for the person.

HISTORY: Add. 1967; Am. 1968; Am. 1973.

R 390.1142. Full-year special permits.

Rule 42. (1) An applicant for a full-year special permit shall present evidence that the person has completed 120 semester hours of satisfactory college credit, including 15 semester hours of credit in professional education.

(2) A full-year special permit is valid for teaching in the grades or subjects specified on the permit or both until June 30 of the school year for which the permit is issued.

(3) A full-year special permit will be renewed upon presentation of evidence that the person has completed 6 semester hours of satisfactory additional credit applying on requirements for regular certification.

HISTORY: Add. 1967.

R 390.1143. Substitute permits.

Rule 43. (1) An applicant for a substitute permit shall present evidence that the person has completed at least 60 semester hours of satisfactory college credit until September 1, 1970, and 90 semester hours of satisfactory college credit after September 1, 1970.

(2) After September 1, 1973, the person who presents less than 15 semester hours of credit in professional education, but at least 120 semester hours of satisfactory college credit, is eligible for a substitute permit.

(3) A substitute permit is valid for teaching on a substitute basis for a maximum of 90 days during any school year for a person with a minimum of 60 semester hours of satisfactory college credit, and for a maximum of 90 days during any semester for a person with a minimum of 90 semester hours of satisfactory college credit, except that to be eligible to teach for 90 days, the person with less than 120 semester hours shall have completed 30 semester hours of satisfactory college credit within the last 10 years.

(4) After September 1, 1973, a substitute permit is valid for teaching on a substitute basis for a maximum of 90 days during any school year.

HISTORY: Add. 1967; Am. 1968.

R 390.1144. Substitute permits; renewal.

Rule 44. (1) For a person with 60 semester hours or more of satisfactory college credit who does not teach more than 90 days during any school year, the substitute permit is renewable the following year upon recommendation of the superintendent of schools and without additional credit, but no substitute permit shall be issued for any person with less than 90 semester hours after September 1, 1970.

(2) For a person with 90 but less than 120 semester hours of satisfactory college credit who does not teach more than 180 days during any school year, the substitute permit is renewable the following year upon recommendation of the superintendent of schools and upon presentation of evidence that the person is participating in a planned program approved by the sponsoring institution and has completed 10 semester hours of satisfactory college credit during the preceding 12 months.

(3) For a person with 120 or more semester hours of satisfactory college credit, the substitute permit is renewable the following year.

HISTORY: Add. 1967; Am. 1968.

R 390.1145. Permits in emergency situations.

Rule 45. On recommendation of the superintendent of a local intermediate school district, the state board may issue a permit for a person with reasonable qualifications when failure to authorize the permit will deprive children of an education. The permit shall be issued for a specific period of time under emergency circumstances not including labor disputes.

HISTORY: Add. 1973.

PART 5. EDUCATIONAL INSTITUTIONS

R 390.1151. Approved teacher education institutions.

Rule 51. (1) The state board approves certain institutions and their programs for the purposes of preparing applicants for certification. Upon request of the state board a teacher education institution shall present a report of its teacher education curricula and definitions of majors and minors. The programs of an approved teacher education institution are subject to periodic review by the state board.

(2) A sponsoring institution recommending applicants for teachers' certificates shall establish selection techniques which insure that only qualified students are admitted to the teacher education program and sponsored for certification.

(3) Unless otherwise approved by the state board, all majors and minors offered by an approved teacher education institution shall be in subject matter fields pertinent to teaching at the level for which certification is to be recommended. The state board reserves the right to determine the acceptability of majors and minors recommended by out-of-state institutions.

(4) An applicant who has been graduated from a specific teaching curriculum, such as fine arts, industrial arts, library science, music, physical education, health education or foreign language, may be certificated to teach such specific subject in elementary and secondary grades when, upon recommendation of the sponsoring institution, the applicant qualifies at both levels.

HISTORY: Add. 1967; Am. 1973; Am. 1977.

R 390.1152. Same; equivalence option.

Rule 52. An applicant may satisfy any educational requirement for certification by presenting evidence of an equivalent as determined by the state board. In granting such equivalence the state board shall consider college graduation and scores made on standardized examinations or prior teaching experience, or any combination of these or other appropriate criteria. Evaluation of equivalence shall be under direction of the state board. The sponsoring institution may award semester hours of credit based upon equivalence in partial fulfillment of requirements for a major or minor or for any of the required credits for certification.

HISTORY: Add. 1967; Am. 1973.

R 390.1153. Same; experimental programs.

Rule 53. The state board at the request of an approved teacher education institution may waive for a specific time particular requirements of this code, for experimental teacher education programs. A request for such a waiver shall provide sufficient detail as prescribed to allow the state board to approve such provisions in order that substantial experimentation with patterns of teacher education may be encouraged. Upon adequate evidence, the state board may give continuing status to an experimental teacher education program of demonstrated superiority.

HISTORY: Add. 1967.

R 390.1154. Out of state institutions.

Rule 54. (1) An applicant for certification in this state who has been educated in an accredited institution out of this state shall present evidence of having fulfilled all of the requirements established for residents of this state. The state board may accept credit from an institution accredited by its regional accrediting association.

(2) An applicant for certification in this state who presents credit from a teacher education institution not accredited by its regional accrediting association may validate such credit by gaining unconditional admission to full standing in the graduate department, division or school of a college or university fully accredited by the regional accrediting association, or completing 6 semester hours of acceptable graduate credit in an accredited institution or meeting such requirements as are specified by the state board.

(3) Credits from institutions in foreign countries will be adjudged by the United States Office of Education and by the state board in determining eligibility for certification.

(4) A state elementary or secondary provisional certificate may be issued to an applicant from another state who presents evidence that he has been graduated from a teacher education institution approved by that state's appropriate education agency and has completed a program in elementary or secondary education as prescribed by that teacher education institution, if the institution is accredited at the time of his graduation by a national teacher accreditation agency approved by the state board.

HISTORY: Add. 1967; Am. 1973.

R 390.1155. Non-teacher education institutions.

Rule 55. An applicant presenting credits from an institution of higher education not approved for teacher education purposes shall complete such credits as may be required by the state board in his individual case.

HISTORY: Add. 1967.

R 390.1156. Correspondence credits.

Rule 56. A correspondence credit may not apply toward requirements for a continuing certificate, renewal of a provisional certificate, nor conversion of a provisional or continuing certificate.

HISTORY: Add. 1967.

R 390.1157. Bilingual endorsements.

Rule 57. (1) Bilingual endorsements shall be granted in specified languages with authorization to teach as defined in R 390.1101(a).

(2) The bilingual endorsement program for initial certificates shall be a group minor of 24 semester hours.

(3) The bilingual endorsement program for existing certificates shall be a minimum of 18 semester hours. Credits for coursework to develop basic language proficiency in either the endorsed language or in the English language shall not be included in the 18-hour program.

(4) A bilingual endorsement program shall contain all of the following requirements:

(a) Language proficiency. An applicant shall demonstrate reading, writing, speaking, and listening proficiency in English and in the language for which endorsement is sought as determined by an examination process approved by the state board of education. The state board of education shall designate those languages for which reading and writing proficiency is not required.

(b) Linguistics and bilingual methodology. An applicant shall successfully complete 9 semester hours of

coursework designed to develop all of the following:

(i) Knowledge of the historical background and pedagogical rationale of bilingual education.

(ii) Effective skills in using both English and the endorsed language as media of instruction in the subject matter areas for which certification is held or being sought.

(iii) Effective skills in the instruction of English and the endorsed language as both first and second languages, as individual classes, or as activities integrated into content areas.

(iv) Effective skills in the linguistic analysis of both English and the endorsed language and in the testing and assessment of language skills.

(c) Culture. An applicant shall successfully complete 6 semester hours of coursework designed to develop all of the following:

(i) Effective skills in utilizing cultural information and activities as means for developing basic skills.

(ii) Effective skills in presenting the history and cultures of the geographical area associated with the endorsed language.

(iii) Effective skills in presenting the history and culture of the endorsed language groups within the United States.

(iv) Effective skills in communicating with parents of children enrolled in the bilingual education program and with members of the bilingual advisory committee.

(d) Field experience. An applicant shall successfully complete a portion of the directed teaching requirement for an initial elementary or secondary provisional certificate with a bilingual endorsement in a currently operating bilingual instruction program.

(5) This rule is mandatory for all persons seeking bilingual endorsement after July 1, 1982.

HISTORY: Add. 1981.

PART 6. VOCATIONAL ENDORSEMENT AND AUTHORIZATION

R 390.1161. State secondary provisional certification with vocational endorsement.

Rule 61. (1) An applicant for vocational endorsement shall meet the requirements for state secondary provisional certification as described in part 2 of these rules as well as presenting evidence of completing:

(a) A program in vocational teacher education at an institution approved by the state board for the preparation of vocational teachers in the occupational area of the endorsement.

(b) A major or a minor in an approved program in the occupational area of the endorsement.

(c) Two years of work experience in the occupational area of the endorsement or completion of a planned equivalent program of directed supervised occupational experience approved by the department of education. The occupational experience shall be characterized by its relevancy and recency.

(2) Vocational endorsement is valid for teaching in the stated occupational area in approved vocational education programs.

HISTORY: Add. 1973.

R 390.1162. State secondary continuing certification with vocational endorsement.

Rule 62. (1) A state continuing certificate with a vocational endorsement may be issued to an applicant who has met the requirements for continuing certification as described in part 3 of these rules as well as presenting evidence that he has completed the following requirements:

(a) Taught successfully for 3 years according to the validity of his provisional certificate and vocational endorsement and since the issuance of the provisional certificate and vocational endorsement, as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) Earned 18 semester hours after the issuance of his state provisional certificate and vocational endorsement in a planned course of study which includes a minimum of 10 semester hours of relevant vocational education. This advanced course of study is applicable to the applicant's professional development as determined by the state board upon recommendation of the sponsoring institution and, if appropriate, the local school district. A person with an earned master's or higher degree is not required to complete the 18 semester hour planned program.

HISTORY: Add. 1973.

R 390.1163. Temporary vocational authorization.

Rule 63. (1) A temporary vocational authorization document may be issued upon the report of a designated vocational teacher education institution to an applicant presenting evidence that he has met the following requirements:

(a) Possesses a baccalaureate degree.

(b) Has a major or minor in the field of specialization in which vocational authorization is being requested or equivalent graduate credits to substitute for the required major or minor.

(c) Has a minimum of 2 years of experience in the occupational area concerned or has completed a planned program of directed supervised occupational experience approved by the state board. The occupational experience shall be characterized by its relevancy and recency.

(2) Temporary vocational authorization is valid for teaching in those courses in which instruction is limited to the occupation specified on the authorization in approved vocational programs. It is valid for 6 years.

HISTORY: Add. 1973.

R 390.1164. Full vocational authorization.

Rule 64. (1) A full vocational authorization document shall be issued to qualified candidates and shall be valid for continued teaching in those courses in which instruction is limited to the occupation specified on the authorization in approved vocational programs.

(2) Applications for full vocational authorization shall contain evidence that the candidate:

(a) Has taught successfully for 3 years according to the validity of his temporary vocational authorization as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) Has completed a minimum of 10 semester hours of professional vocational education as determined by the state board and approved by the sponsoring institution and the local school district.

(3) The validity of a full vocational authorization is specified in rule 34.

HISTORY: Add. 1973.

R 390.1165. Annual vocational authorization.

Rule 65. (1) If a candidate does not meet the standards outlined for temporary vocational authorization, an evaluation of competency shall be made by the department of education. The department shall determine the adequacy of his combined education and occupational and teaching experience in relation to the requirements set forth. A candidate shall have work experience at the journeyman level in apprenticeable trades. If the candidate is deemed competent, a 1 year vocational authorization shall be issued to the school district. This annual vocational authorization is planned primarily for persons who will be teaching only vocationally approved trade and industrial and health occupation courses in grades 9 to 12.

(2) This annual authorization is valid for teaching those courses in approved programs, in which instruction is limited to the occupation specified on the authorization.

(3) A vocational authorization is renewable annually upon the recommendation of the employing local school district.

HISTORY: Add. 1973.

R 390.1166. Credit from institutions not designated for preparation of vocational teachers.

Rule 66. Candidates for vocational endorsement or authorization who present credit from a teacher education institution not approved by the state board for the preparation of vocational teachers may validate the credit by gaining unconditional admission to full standing in the graduate department, division or school of a college or university approved for vocational teacher education, by completing 6 semester hours of acceptable graduate credit in an institution approved by the state board for the preparation of vocational teachers, or meet the requirements specified by the state board.

HISTORY: Add. 1973.

R 390.1167. Instructional programs leading to state or federal license.

Rule 67. Personnel assigned instructional responsibility in fields for which a state or federal license is required shall hold the appropriate license before requesting a vocational endorsement or authorization.

HISTORY: Add. 1973.

PART 7. CERTIFICATION OF TEACHERS UNTIL 1970

R 390.1171-R 390.1179. Rescinded 1975.

PART 8. CERTIFICATION OF CERTAIN TEACHERS UNTIL 1976

R 390.1181-R 390.1188. Expired 1976.

PART 10. ADMINISTRATIVE HEARINGS

R 390.1201. Certificates; denial, suspension, or revocation; reinstatement.

Rule 101. (1) The state board may refuse to grant or renew, or may revoke or suspend for a fixed term, or may impose reasonable conditions on, a teaching certificate granted pursuant to these rules for the following reasons:

(a) Fraud, material misrepresentation, or concealment in the application for a certificate.

(b) Failure or ineligibility of the applicant or certificate holder to meet the criteria for eligibility for the certificate.

(c) Conviction, as an adult, of an act of immoral conduct contributing to the delinquency of a child, or of a felony involving moral turpitude.

(2) A certificate shall not be denied, suspended, or revoked solely on the basis of a prior felony conviction, unless it is related reasonably and adversely to the ability of the person to serve in an elementary or secondary school.

(3) Upon application and a showing of good cause, the state board may reinstate a suspended or revoked certificate or may grant a new certificate. The applicant or certificate holder shall be permitted to demonstrate that, at the present time, he has the ability to serve in a teaching position without adversely affecting children or other members of the profession, and shall provide proof that he is rehabilitated.

HISTORY: Add. 1977.

R 390.1202. Contested case; grounds.

Rule 102. A contested case may be instituted pursuant to chapter 4 of Act No. 306 of the Public Acts of 1969, being § 24.271 et. seq. of the Michigan Compiled Laws, in the event of a refusal to grant or renew a teacher's certificate, or in the event of a suspension or revocation of a teacher's certificate.

HISTORY: Add. 1977.

R 390.1203. Investigation.

Rule 103. Upon receipt of information which may serve as the basis for a refusal to grant or renew a teacher's certificate, or as the basis for the suspension or revocation of a teacher's certificate, the superintendent of public instruction shall initiate an investigation of that information.

HISTORY: Add. 1977.

R 390.1204. Written charges; service; notice of opportunity to show compliance.

Rule 104. (1) If the superintendent of public instruction determines that probable cause exists for the suspension or revocation of a teacher's certificate, the superintendent shall initiate the preparation and filing of written charges with the state board and shall cause a copy thereof and a notice of opportunity to show compliance to be served upon the teacher in question.

(2) Within 20 days of service of the notice of opportunity to show compliance, a teacher may request an informal conference to show compliance. The informal conference shall be with an authorized representative of the state board.

(3) After the informal conference, the state board may, after considering the recommendation of its authorized representative, make a finding of compliance, enter into a written settlement of the matter with the teacher without a hearing, or direct that a notice of hearing issue.

HISTORY: Add. 1977.

R 390.1205. Notification of rights; copies of rules and laws.

Rule 105. Upon receipt of written charges, the state board shall inform the teacher of hearing rights under these rules, and under sections 71 to 92 of the administrative procedures act, Act No. 306 of the Public Acts of 1969, being § 24.271 to 24.292 of the Michigan Compiled Laws, and section 10 of Act No. 287 of the public Acts of 1964, being § 388.1010 of the Michigan Compiled Laws. A complete copy of the rules and laws shall be furnished the teacher.

HISTORY: Add. 1977.

R 390.1206. Notice of hearing; written charges; settlement; absence of party; hearing as public or private.

Rule 106. (1) Within 30 days of service of the notice of opportunity to show compliance, if the teacher does not request an informal conference, a notice of hearing and a copy of the written charges shall be served upon the teacher.

(2) After an informal conference and a decision by the state board to proceed to hearing, a notice of hearing and a copy of the written charges shall be served upon the teacher.

(3) The written charges may be amended between the time of the notice of opportunity to show compliance and the notice of hearing.

(4) If the teacher fails to attend the hearing, the hearing may proceed and the decision may be made in the absence of the teacher.

(5) The teacher and the state board may agree in writing to a settlement of the matter without a hearing.

(6) A hearing shall be public or private at the request of the teacher.

HISTORY: Add. 1977.

R 390.1207. Answer to formal charges; bill of particulars.

Rule 107. (1) A teacher may file an answer to formal charges with the state board. The answer shall be filed not less than 10 days prior to the hearing.

(2) If the formal charges are believed by the teacher to be so ambiguous that an answer cannot be adequately prepared, the teacher may file a motion for a bill of particulars with the hearing officer. The request for a bill of particulars shall be granted upon a demonstration of good cause.

HISTORY: Add. 1977.

R 390.1208. Representation; appearance by legal counsel; service on attorneys of record.

Rule 108. (1) A teacher may represent himself or be represented by legal counsel or another duly authorized representative.

(2) An appearance by legal counsel shall be filed in writing and at the earliest possible time. Thereafter, service upon the attorneys of record shall be deemed service upon the parties.

HISTORY: Add. 1977.

R 390.1209. Hearing officer; duties.

Rule 109. A hearing officer designated by the state board shall promptly establish hearing dates, inquire fully into all facts relevant to each proceeding, and submit proposals for decision to the state board and the parties.

HISTORY: Add. 1977.

R 390.1210. Hearing officer; qualification; prohibited communications.

Rule 110. (1) The hearing officer shall be from an office completely separated from any person involved in investigatory or prosecutorial functions regarding contested cases pertaining to teacher certification.

(2) A hearing officer shall not directly or indirectly communicate with a party, a representative of a party, or other person who has been engaged in investigatory or prosecutorial functions regarding any issue of fact or law, except on notice and opportunity for all parties to participate, unless otherwise provided by law.

HISTORY: Add. 1977.

R 390.1211. Witnesses; fees and expenses; exclusion from hearing; communications.

Rule 111. (1) A witness, except a state employee, requested by the hearing officer shall be paid an appropriate witness fee and expenses by the party that had the hearing officer request the presence of the witness. Fees and expenses shall be consistent with those provided in circuit court.

(2) Upon motion and a showing of good cause, a prospective witness may be excluded from a hearing. Witnesses may be instructed not to communicate with a prospective witness.

HISTORY: Add. 1977.

R 390.1212. Transcript; evidence; exhibits.

Rule 112. (1) A hearing reporter shall transcribe the testimony taken at a hearing and file the certified original with the state board upon request of the hearing officer or the state board. A party may request a copy of the transcript at his own expense. When a transcript is prepared, the certified original shall be filed with the state board and all parties shall be notified.

(2) Evidence in a contested case may be retained in the custody of a person designated by the hearing officer or the state board upon such terms as are just, practicable, and designed to preserve the evidence without undue interference on any other legal proceeding.

(3) Exhibits shall be retained by the hearing officer until such time as they are certified and filed with the state board, along with the proposal for decision.

HISTORY: Add. 1977.

R 390.1213. Exceptions, cross exceptions, and briefs.

Rule 113. (1) Within 20 days after service of the proposal for decision, a party may file a written statement with the state board setting forth exceptions thereto or to any other part of the record or proceeding, including rulings upon motions and objections. A brief in support of these exceptions may be filed with the state board. A copy of the exceptions and any brief shall be served on each party to the proceedings.

(2) Within 10 days after service of an exception, a party may file a cross exception and a brief in support thereof, or a brief in support of the proposal for decision. A copy of the cross exceptions and any brief shall be served on each party to the proceedings.

HISTORY: Add. 1977.

R 390.1214. Oral arguments.

Rule 114. If a party desires to present oral arguments to the state board, a written request therefor shall be made to the state board at the time an exception, cross exception, or brief is filed. The state board, on its own motion, may direct oral argument.

HISTORY: Add. 1977.

R 390.1215. Advice of attorney general or designated assistant.

Rule 115. The state board may seek the legal advice of the attorney general, or a designated assistant other than a person who may have engaged in investigatory or prosecutorial functions, with regard to the contested case under consideration or a factually related case.

HISTORY: Add. 1977.

R 390.1216. Proposal for decision; action by state board.

Rule 116. The state board may adopt, modify, or reverse the proposal for decision.

HISTORY: Add. 1977.

APPENDIX A — EXCERPTS OF LEGAL PROVISIONS GOVERNING CERTIFICATION OF TEACHERS

I. State Board of Education Authority to Issue Certificates

Determination of the requirements for, and issue all licenses and certificates for teachers in the public schools of this state.

(M.C.L. § 380.1531 of Act 451 of P.A. 1976)

II. Certification — Teachers in Non-Public Schools

No person shall teach or give instruction in any of the regular or elementary grade studies in any private, denominational or parochial school within this state who does not hold a certificate such as would qualify him or her to teach in like grades of the public schools of the state.

(M.C.L. § 388.553 — Sec. 3 of Act 302 of P.A. 1921)

III. Age and Citizenship

A certificate qualifying a person to teach in the public schools of this state shall not be granted to any person who is not at least 18 years of age. A certificate granted in contravention of this section is void.

(M.C.L. § 380.1533 of Act 451 of P.A. 1976)

IV. Penalty for Employing Unqualified Teachers

As provided in the School Code of 1976, the board of any district shall not permit an unqualified teacher to teach in any grade or department of the school. A district employing teachers not legally qualified shall have deducted the sum equal to ½ the amount paid the teachers. Each intermediate superintendent shall notify the Department of the name of the unqualified teacher and the district employing the unqualified teacher and the amount of salary the unqualified teacher was paid within a constituent district.

(M.C.L. § 388.1563 — Sec. 163 of Act 90 of P.A. 1977)

V. Certificate not Valid Unless Properly Recorded

Before any teacher's certificate shall be valid in any school district, the holder thereof shall record the same in the office of the intermediate superintendent or in the office of the superintendent of schools of any school district, of the first, second, or third class where the person expects to teach.

(M.C.L. § 380.1532 — Sec. 1532 of Act 451 of P.A. 1976)

VI. Oath of Allegiance of Teacher

Before any teacher's certificate shall be valid in this state, the holder thereof shall make the following oath (or affirmation): "I do solemnly swear (or affirm) that I will support the constitution of the United States of America and the constitution of the state of Michigan and that I will faithfully discharge the duties of the office of teacher according to the best of my ability." The oath shall be signed by the teacher, notarized, and attached to or superimposed on the teacher's certificate.

(M.C.L. § 380.1532 — Sec. 1532 of Act 451 of P.A. 1976)

BEST COPY AVAILABLE

MICHIGAN STATE BOARD OF EDUCATION

STATEMENT OF ASSURANCE OF COMPLIANCE WITH FEDERAL LAW

The Michigan State Board of Education complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Michigan State Board of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, marital status or handicap shall be discriminated against, excluded from participation in, denied the benefits of or otherwise be subjected to discrimination in any program or activity for which it is responsible or for which it receives financial assistance from the U.S. Department of Education.